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	Application Number	10/710851
TRANSMITTAL	Filing Date	8/5/2004
FORM	First Named Inventor	Chad C. STEELE
	Art Unit	3762
(to be used for all correspondence after Initial	Examiner Name	Patricia BIANCO
Total Number of Pages in This Submission	3 Attorney Docket Number	BC-0112-P05
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ENCLOSURES (Check all that apply) After Allowance Communication to TC		
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Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences
Amendment/Reply .	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final	Petition to Convert to a Provisional Application	Proprietary Information
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Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please Identify below):
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John R. Merkling		
Date 25 Man	2005 R	eg. No. 31716
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Typed or printed name Jeannie Woods		Date May 25, 2005)
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

10/710851

Confirmation No.: 4850

Applicant

Chad C. STEELE

Filed

8/6/2004

TC/A.U.

3762

Examiner

Patricia BIANCO

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Docket No.

BC-0112-P05

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RESPONSE TO ELECTION REQUIREMENT

Sirs,

This communication is in response to the Election Restriction mailed May 12, 2005.

Applicants provisionally elect Class I, claims 1-20, with traverse. Please note that there are no claims 24-26 in this case. The Restriction Requirement lists claims 24-26 in Class I on page 2 of the Requirement.

Applicant respectfully traverses the restriction and requests that the requirement be withdrawn. Examiner has stated that claim 21 (and dependent claims 22-23) includes a prompting step wherein the operator performs the prompting step. Applicant respectfully disagrees. Claim 21 includes the steps of "notifying an operator", "first prompting an operator", and "second prompting an operator". This language is similar to the language of claim 1, e.g., "prompting an operator". Claim 21 does not contain language implied by the restriction requirement such as "said operator prompting" as suggested by the Examiner's characterization that claim 21 requires that the operator performs the prompting step. The two sets of claims do not therefore, have

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different modes of operation. Applicants respectfully traverse the restriction requirement and request that the requirement be withdrawn.

It is believed there is no fee in the filing of this response, however if we are mistaken, please charge and fees due to deposit account 032316.

Respectfully submitted,

25 May 2005 Date

John R. Merkling

Registration No.: 31716

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